

SAM – INFORMATION SECURITY
(Office of Information Security)

STATUTORY PROVISIONS

5300.1

(Revised 03/11)

Pursuant to Government Code Section 11549.3, every state agency, department, and office shall comply with the information security and privacy policies, standards, procedures and filing requirements issued by the Office of Information Security. Additionally, the Office may conduct, or require to be conducted, independent security assessments or audits of any state agency, department, or office, the cost of which shall be funded by the state agency, department, or office being assessed or audited.

The primary provisions affecting the classification and dissemination of information under the control of California state agencies can be found in the State Constitution, in statute, and in administrative policy:

1. Article 1, Section 1, of the Constitution of the State of California defines pursuing and obtaining privacy as an inalienable right.
2. The Information Practices Act of 1977 (Civil Code Section 1798, et seq.) places specific requirements on state agencies in the collection, use, maintenance, and dissemination of information relating to individuals.
3. The California Public Records Act (Government Code Sections 6250-6265) provides for the inspection of public records.
4. The State Records Management Act (Government Code Sections 14740-14770) provides for the application of management methods to the creation, utilization, maintenance, retention, preservation, and disposal of state records, including determination of records essential to the continuation of state government in the event of a major disaster. (SAM Sections 1601 through 1699 contain administrative regulations in support of the Records Management Act.)
5. The Comprehensive Computer Data Access and Fraud Act (Penal Code Section 502) affords protection to individuals, businesses, and governmental agencies from tampering, interference, damage, and unauthorized access to lawfully created computer data and computer systems. It allows for civil action against any person convicted of violating the criminal provisions for compensatory damages.

See SAM Sections 5300 through 5399 and the Office's Government Online Responsible Information Management (GO RIM) Web site at www.infosecurity.ca.gov/ for statewide authority, standards, guidance, forms, and tools for information security activities.